



Inter Department Correspondence Sheet

TO: Members of City Council

FROM: Breck Daughtrey, City Clerk

COPIES TO: _____

SUBJECT: Minutes of the City Council Meeting

February 12, 2016

Attached are the minutes from the City Council meeting held on February 9, 2016.

NORFOLK, VIRGINIA

BUSINESS MEETING OF COUNCIL

TUESDAY, FEBRUARY 9, 2016

Mayor Fraim called the meeting to order at 5:12 p.m. with the following members present: Ms. Graves, Ms. Johnson, Dr. Whibley, Mr. Protogyrou, Mr. Riddick and Mr. Smigiel. Mr. Winn was absent.

City Manager Jones reviewed the agenda, noting that Police Chief Michael Goldsmith is back to answer any questions that Council may have as well as provide information related to his last presentation. George Homewood and Adam Melita will give Council an update on the Sand Management Plan. In addition, he introduced and welcomed the new Chief Marketing Officer Brent Kelly.

Mayor Fraim thereupon called for the first item of business.

A. COUNCIL INTERESTS

1. Referencing an earlier request to meet with the auditor to examine the practices and culture of City Hall following the indictment of the Treasurer, Councilman Protogyrou noted the indictment included 17 paragraphs that dealt with Council business, NRHA business and City Hall business. He distributed copies of a letter he sent to the City Auditor asking for a review of 17 paragraphs and a report to Council so they can have a discussion.
2. Councilman Riddick asked to schedule a meeting with School Superintendent Dr. Boone, Deputy City Manager Ron Williams and the Southside Educational Committee at the Southside Aquatic Center to find out why the community was thinking one thing was going to occur with the new school that's not occurring.
3. Vice Mayor Williams Graves referenced a memo that was sent out regarding employees and expressed concern with the way the compensation plan is laid out because it's not clear and that it's not going to allow the city to retain or attract people who work for the city. She stated that none of the employees should have been left out in the first place and that some employees who received increases are having to pay

them back because they didn't qualify for the raise because of where they are on the pay scale.

She also commented on what she heard about Human Resources advising payroll clerks that they shouldn't tell people that they're nearing their pay scale ceiling, so they don't know that they won't be receiving a cost of living adjustment due to a stipulation in the compensation plan that prevents them from getting a cost of living adjustment or prevents them from getting a bonus. She stated that the entire compensation plan needs to be looked at and when they say employees are getting a raise every employee should get a raise and not some employees based on this qualification and that qualification.

4. Councilman Smigiel expressed concern with Liberty Tax dancing statue of liberty people out on the street corners spinning signs. He stated that he wants to know what code they are violating and, asked: 1) that they look into some kind of sign committee or code enforcement committee to focus on inappropriate signs in the Little Creek Road, Virginia Beach Boulevard and Military Highway corridors and 2) stated that the business signs and what they're adding to their signs and banners are getting out of hand.

B. CLOSED SESSION

Motion for closed session was approved for purposes which are set out in **Clause 3 of subsection (A) of Section 2.2-3711 of the Virginia Freedom of Information Act**, as amended:

- (3) Discussion of the disposition of publicly owned real property in the area in the downtown and Oakwood areas of the city.

Yes: Graves, Johnson, Protogyrou, Riddick, Smigiel, Whibley, and Frain.

No: None.

C. SAFE, HEALTHY, AND INCLUSIVE COMMUNITIES REPORT

Mike Goldsmith, Chief of Police reported as follows:

The Fair and Impartial Policing Workgroup (FIP) is a group of community stakeholders who meet to talk about and review policies and procedures to seek citizen input to help NPD build the police department with community involvement. The group is looking at all policies including use of force policies and to examine what can be done differently and where improvements can be made.

Cops and Curls is a new initiative to build public trust among underserved communities with young girls 6 to 12 years of age. It will pair girls with police officers for a safe and fun dance party similar to a prom-type of event.

The department is involved with many community partnerships, and is looking at implementation pathways for the President's 21st Century Policing Report.

The entire police department has been trained in active threat response and have been training since 1999. The department is ready to launch an extensive training effort to ensure they are current with all tactics and procedures. They have equipment available for the special operations team, including an armored vehicle used for officer and citizen rescue and a mobile command post ready to be set up when needed.

NPD has contracted with the International Association of Chiefs of Police for a complete staffing study of the Norfolk Police Department that will look at numbers of police officers, where they are deployed, shift schedules and the most efficient use of manpower. Regarding police pursuits, as a result of a study within the department a stricter pursuit policy will be implemented. More information will be provided at a later date.

D. SAND MANAGEMENT PLAN

George Homewood, Director of City Planning and Adam Melita, Deputy City Attorney, reported as follows:

Mr. Homewood stated that the process started 18 months ago where a number of residents of Cottage Line-East Ocean View had a desire to remove some of the sand that had been encroaching on their residential structures. The process to begin a sand management plan was developed so that citizens could work cooperatively to find solutions to the sand encroachment problem.

Mr. Melita reported as a result of the committee's work, solutions have been prepared for a more consistent and fairer approach to managing sand up and down the entire Ocean View corridor from the Little Creek Jetty to the end of Willoughby Spit. It will replace the piecemeal approach with a plan that is comprehensive and that puts citizens and the city in charge of the process instead of the State Dune Act Permit Process.

The plan addresses when and how sand replenishment can be done, how to repair breaches in the dune and how to deal with accretion of sand especially in the Cottage Line area where sand has accumulated and the dunes have grown. It sets out procedures for monitoring what is going on with sand, how it is moving and what procedures are working.

The principal agent of that monitoring process would be a new review board that would meet at least twice a year to review projects, review science, lidar data and other metrics of how the projects are working. The plan would essentially automate many of the processes internally and would not be using the Wetlands Board for any of those procedures that the city is undertaking. The next steps will be to bring a resolution to initiate the comprehensive plan amendments, which will result in public hearings and Planning Commission review of the plan.

NORFOLK, VIRGINIA
ACTION OF THE COUNCIL
CITY COUNCIL MEETING
TUESDAY, FEBRUARY 9, 2016 – 7:00 P.M.

President Fraim called the meeting to order at 7:00 p.m.

The opening prayer was offered by Councilwoman Theresa Whibley, M.D., followed by the Pledge of Allegiance.

President Fraim moved to excuse Mr. Winn from today's meeting.

Motion adopted.

Yes: Graves, Johnson, Riddick, Protogyrou, Smigiel, Whibley and Fraim.

No: None.

The following members were present: Mrs. Graves, Mrs. Johnson, Mr. Protogyrou, Mr. Riddick, Mr. Smigiel, Dr. Whibley and Mr. Fraim.

President Fraim moved to dispense with the reading of the minutes of the previous meeting.

Motion adopted.

Yes: Graves, Johnson, Riddick, Protogyrou, Smigiel, Whibley and Fraim.

No: None.

CERTIFICATION OF CLOSED MEETING

A Resolution entitled, "A Resolution certifying a closed meeting of the Council of the City of Norfolk in accordance with the provisions of the Virginia Freedom of Information Act," was introduced in writing and read by its title.

ACTION: The Resolution as introduced was **adopted**, effective February 9, 2016.

Yes: Graves, Johnson, Riddick, Protogyrou, Smigiel, Whibley and Fraim.

No: None.

INVITATION TO BID

IB-1

INVITATION TO BID scheduled this day pursuant under State Law, public notice having been inserted in the local press by the City Clerk to accept bids for a **Long-Term Garage Parking Agreement**, with a term of twenty years for the lease of 400 parking spaces in the parking garage located at **130 Bank Street** in the City of Norfolk.

One bid was submitted by City Walk, LLC that was opened, numbered and read.

Thereupon, An Ordinance entitled, An Ordinance accepting a bid submitted by **CITY WALK ONE, LLC**, for a Long Term Garage Parking Agreement, with a term of twenty years, for the lease of 400 parking spaces in the parking garage located at 130 Bank Street in the City of Norfolk,” was introduced in writing and read by its title.

ACTION: The Ordinance as introduced was **adopted**, effective March 11, 2016.

Yes: Graves, Johnson, Protogyrou, Riddick, Smigiel, Whibley and Frain.

No: None.

REGULAR AGENDA

R-1

Matter of a letter from the City Manager and an Ordinance entitled, “An Ordinance approving an **Encroachment Agreement** with **EDR Enterprises, Inc.**, dba **Pimento Island Bistro**, for property located at **1902 Colley Avenue**,” was introduced in writing and read by its title.

(PASSED BY AT THE MEETING OF JANUARY 26, 2016)

ACTION: The Ordinance as introduced was **adopted**, effective February 9, 2016.

Yes: Graves, Johnson, Protogyrou, Riddick, Smigiel, Whibley and Frain.

No: None.

R-2

Matter of a letter from the City Manager and a Resolution entitled, “A Resolution to designate the area to east of **St. Paul’s Boulevard**, to the south of **East Princess Anne Road**, **Goff Street**, and **Saint Julian Avenue**, to the west of **Roberts Road** and **Park Avenue** and to the north **Holt Street** and the southernmost portion of **Tidewater Drive** in the City of Norfolk as the **Greater St. Paul’s Revitalization Area**,” was introduced in writing and read by its title.

(PASSED BY AT THE MEETING OF JANUARY 26, 2016)

(A REQUEST HAS BEEN MADE TO WITHDRAW THIS MATTER)

ACTION: WITHDRAWN.

Yes: Graves, Johnson, Protogyrou, Riddick, Smigiel, Whibley and Fraim.

No: None.

R-3

Letter from the City Manager and an Ordinance entitled, “An Ordinance authorizing the City of Norfolk to enter into a **Cooperation Agreement** for the payment of certain funds to enable the **Economic Development Authority of the City of Norfolk** to enter into and fulfill its obligations under a Grant Agreement with ADP, LLC,” was introduced in writing and read by its title.

The following persons spoke in favor of this matter.

Chuck McPhillips, President Greater Norfolk Corporation, 1543 Cloncurry Road, Barry Bishop, Executive Vice President, Greater Norfolk Corporation, 9508 25th Bay Street, Rodney Jordan, 2506 Myrtle Avenue, Mary Miller, President & CEO, Downtown Norfolk Council and Bryan Stephens, President & CEO, Hampton Roads Chamber of Commerce.

ACTION: The Ordinance as introduced was **adopted**, effective February 9, 2016.

Yes: Graves, Johnson, Protogyrou, Riddick, Smigiel, Whibley and Fraim.

No: None.

R-4

Letter from the City Manager and an Ordinance entitled, “An Ordinance granting a **Special Exception** authorizing the operation of an entertainment establishment with alcoholic beverages known as “**Peck and Pour, Work Class Wings and Beer**” on property located at **1310 Colley Avenue**,” was introduced in writing and read by its title.

ACTION: The Ordinance as introduced was **adopted**, effective February 9, 2016.

Yes: Graves, Johnson, Protogyrou, Riddick, Smigiel, Whibley and Fraim.

No: None.

R-5

Letter from the City Manager and an Ordinance entitled, “An Ordinance granting a **Special Exception** to permit the operation of a commercial drive-through for ‘**Chick-Fil-A**’ on property located at **1205 North Military Highway**,” was introduced in writing and read by its title.

Daniel Hines, representing the applicant, 28 Blackwell Park Lane, Warrington, VA, was present to answer questions.

ACTION: The Ordinance as introduced was **adopted**, effective February 9, 2016.

Yes: Graves, Johnson, Protogyrou, Riddick, Smigiel, Whibley and Fraim.

No: None.

R-6

Letter from the City Manager and an Ordinance entitled, “An Ordinance granting a **Special Exception** to operate an entertainment establishment with alcoholic beverages known as ‘**The Muse Writers Center**’ on property located at **2200 Colonial Avenue, Suite 3**,” was introduced in writing and read by its title.

ACTION: The Ordinance as introduced was **adopted**, effective February 9, 2016.

Yes: Graves, Johnson, Protogyrou, Riddick, Smigiel, Whibley and Fraim.

No: None.

R-7

Letter from the City Manager and the following two Ordinances:

An Ordinance entitled, “An Ordinance granting a **Special Exception** authorizing the operation of an entertainment establishment with alcoholic beverages known as ‘**Tap It Local**’ on property located at **244 Granby Street**,” will be introduced in writing and read by its title,” was introduced in writing and read by its title.

Rick Henn, representing the applicant, 1400 Granby Street, Unit 407 and Chris McGrath, applicant, 244 Granby Street, were present to answer questions.

ACTION: The Ordinance as introduced was **adopted**, effective February 9, 2016.

Yes: Graves, Johnson, Protogyrou, Riddick, Smigiel, Whibley and Fraim.

No: None.

R-7A An Ordinance entitled, “An Ordinance granting a **Special Exception** authorizing the sale of alcoholic beverages for off-premises consumption at an establishment known as ‘**Tap it Local**’ on property located at **244 Granby Street**,” was introduced in writing and read by its title.

ACTION: The Ordinance as introduced was **adopted**, effective February 9, 2016.

Yes: Graves, Johnson, Protogyrou, Riddick, Smigiel, Whibley and Fraim.

No: None.

R-8 Letter from the City Manager and an Ordinance entitled, “An Ordinance granting a **Special Exception** authorizing the operation of an entertainment establishment with alcoholic beverages known as ‘**Glass Wheel Studio**’ on property located at **116 to 128 West Olney Road**,” was introduced in writing and read by its title.

ACTION: The Ordinance as introduced was **adopted**, effective February 9, 2016.

Yes: Graves, Johnson, Protogyrou, Riddick, Smigiel, Whibley and Fraim.

No: None.

R-9 Letter from the City Manager and an Ordinance entitled, “An Ordinance granting a **Special Exception** to permit the operation of a **Day Care Home** on property located at **3611 Bell Street**,” was introduced in writing and read by its title.

Bettina Bell, 3611 Bell Street, the applicant, was present to answer questions.

ACTION: The Ordinance as introduced was **adopted**, effective February 9, 2016.

Yes: Graves, Johnson, Protogyrou, Riddick, Smigiel, Whibley and Fraim.

No: None.

R-10 Letter from the City Manager and an Ordinance entitled, “An Ordinance granting a **Special Exception** authorizing the operation of an entertainment establishment with alcoholic beverages known as ‘**Granny’s Country Cooking**’ on property located at **628 35th Street, Suites 636-A and 636-B,**” was introduced in writing and read by its title.

Randy Baker, the applicant, 636 West 35th Street, was present to answer questions.

ACTION: The Ordinance as introduced was **adopted**, effective February 9, 2016.

Yes: Graves, Johnson, Protogyrou, Riddick, Smigiel, Whibley and Fraim.

No: None.

R-11 Letter from the City Manager and an Ordinance entitled, “An Ordinance granting a **Special Exception** authorizing the operation of an entertainment establishment with alcoholic beverages known as ‘**Juicebar Juices**’ on property located at **245 Granby Street, Suite 247,**” was introduced in writing and read by its title.

Rick Henn, representing the applicant, 1400 Granby Street, Unit 407, was present to answer questions.

ACTION: The Ordinance as introduced was **adopted**, effective February 9, 2016.

Yes: Graves, Johnson, Protogyrou, Riddick, Smigiel, Whibley and Fraim.

No: None.

R-12 Letter from the City Manager and the following two Ordinances:

An Ordinance entitled, “An Ordinance granting a **Special Exception** authorizing the operation of an eating and drinking establishment named ‘**Lamia’s Crepes**’ on property located at **401 Granby Street, Suite B,**” was introduced in writing and read by its title.

Rick Henn, representing the applicant, 1400 Granby Street, Unit 407, was present to answer questions.

ACTION: The Ordinance as introduced was **adopted**, effective February 9, 2016.

Yes: Graves, Johnson, Protogyrou, Riddick, Smigiel, Whibley and Fraim.

No: None.

R-12A An Ordinance entitled, “An Ordinance granting a **Special Exception** authorizing the sale of alcoholic beverages for off-premises consumption at an establishment known as ‘**Lamia’s Crepes**’ on property located at **401 Granby Street**,” was introduced in writing and read by its title.

ACTION: The Ordinance as introduced was **adopted**, effective February 9, 2016.

Yes: Graves, Johnson, Protogyrou, Riddick, Smigiel, Whibley and Fraim.

No: None.

R-13 Letter from the City Manager and an Ordinance entitled, “An Ordinance granting a **Special Exception** to permit the operation of a Commercial Drive-Through for ‘**Steak ‘n Shake**’ on property located at **2437 East Little Creek Road**,” was introduced in writing and read by its title.

ACTION: The Ordinance as introduced was **adopted**, effective February 9, 2016.

Yes: Graves, Johnson, Protogyrou, Riddick, Smigiel, Whibley and Fraim.

No: None.

R-14 Letter from the City Manager and an Ordinance entitled, “An Ordinance granting a **Special Exception** authorizing the operation of an eating and drinking establishment named ‘**Starbucks**’ on property located at **7550 Granby Street, Suite 10**,” was introduced in writing and read by its title.

Rick Henn, representing the applicant, 1400 Granby Street, Unit 407, and Tom Lisk, representative, 919 East Main Street, Richmond, VA, were present to answer questions and Kevin Sutton, representative, 1026 Silver Charm Circle, Suffolk, VA, was present to support this matter.

ACTION: The Ordinance as introduced was **adopted**, effective February 9, 2016.

Yes: Graves, Johnson, Protogyrou, Riddick, Smigiel, Whibley and Fraim.

No: None.

R-15 Letter from the City Manager and an Ordinance entitled, “An Ordinance granting a **Special Exception** authorizing the operation of an eating and drinking establishment named ‘**Starbucks**’ on property located at **143 Granby Street, Suites 141 and 143,**” was introduced in writing and read by its title.

Rick Henn, representing the applicant, 1400 Granby Street Unit 407 and Tom Lisk, representative, 919 East Main Street were present to answer questions and Kevin Sutton, representative, 1026 Silver Charm Circle, Suffolk, VA, was present to support this matter.

ACTION: The Ordinance as introduced was **adopted**, effective February 9, 2016.

Yes: Graves, Johnson, Protogyrou, Riddick, Smigiel, Whibley and Fraim.

No: None.

R-16 Letter from the City Manager and an Ordinance entitled, “An Ordinance granting a **Special Exception** authorizing the operation of an eating and drinking establishment named ‘**Rama Garden**’ on property located at **441 Granby Street,**” was introduced in writing and read by its title.

ACTION: The Ordinance as introduced was **adopted**, effective February 9, 2016.

Yes: Graves, Johnson, Protogyrou, Riddick, Smigiel, Whibley and Fraim.

No: None.

R-17 Letter from the City Manager and an Ordinance entitled, “An Ordinance granting a **Special Exception** authorizing the operation of an entertainment establishment with alcoholic beverages known as ‘**Elegant Occasions by Krista**’ on property located at **9605 Granby Street,**” was introduced in writing and read by its title.

ACTION: Continued to February 23, 2016.

Yes: Graves, Johnson, Protogyrou, Riddick, Smigiel, Whibley and Fraim.

No: None.

R-18 Letter from the City Manager and an Ordinance entitled, “An Ordinance granting a **Special Exception** to permit the operation of a Commercial Drive-Through for ‘**Chartway Federal Credit Union**’ on property located at **132 Kempsville Road**,” was introduced in writing and read by its title.
(THE APPLICANT HAS REQUESTED A CONTINUANCE TO FEBRUARY 23, 2016)

ACTION: Continued to February 23, 2016.

Yes: Graves, Johnson, Protogyrou, Riddick, Smigiel, Whibley and Fraim.

No: None.

R-19 Letter from the City Manager and the following two Ordinances:

An Ordinance entitled, “An Ordinance granting a **Special Exception** authorizing the operation of an eating and drinking establishment named ‘**Humboldt Steel Corporation II**’ on property located at **150 Boush Street**,” was introduced in writing and read by its title.

Rick Henn, representing the applicant, 1400 Granby Street, Unit 407 and Christopher Bowman, applicant, 150 Boush Street, were present to answer questions.

ACTION: The Ordinance as introduced was **adopted**, effective February 9, 2016.

Yes: Graves, Johnson, Protogyrou, Riddick, Smigiel, Whibley and Fraim.

No: None.

R-19A An Ordinance entitled, “An Ordinance granting a **Special Exception** authorizing the sale of alcoholic beverages for off-premises consumption at an establishment known as ‘**Humboldt Steel Corporation II**’ on property located at **150 Boush Street**,” was introduced in writing and read by its title.

ACTION: The Ordinance as introduced was **adopted**, effective February 9, 2016.

Yes: Graves, Johnson, Protogyrou, Riddick, Smigiel, Whibley and Fraim.

No: None.

R-20

Letter from the City Manager and the following two Ordinances:

An Ordinance entitled, “An Ordinance granting a **Special Exception** to permit a convenience store 24-hours (no fuel sales) known as ‘**7-Eleven**’ on property located at **1877 East Ocean View Avenue**,” was introduced in writing and read by its title.

Steve Romine, 909 Waterside Drive, Suite 2100, the applicant’s attorney and Steve Blevins, 770 Independence Circle, Virginia Beach, were present to answer questions. Amanda Schmidt, 1408 Stephanie Way, and James Karides, 2247 West Great Neck Road, were present to support this matter.

ACTION: The Ordinance as introduced was **adopted**, effective February 9, 2016.

Yes: Graves, Johnson, Protogyrou, Riddick, Smigiel, Whibley and Fraim.

No: None.

R-20A

An Ordinance entitled, “An Ordinance granting a **Special Exception** authorizing the sale of alcoholic beverages for off-premises consumption at an establishment known as ‘**7-Eleven**’ on property located at **1877 East Ocean View Avenue**,” was introduced in writing and read by its title.

ACTION: The Ordinance as introduced was **adopted**, effective February 9, 2016.

Yes: Graves, Johnson, Protogyrou, Riddick, Smigiel, Whibley and Fraim.

No: None.

R-21

Letter from the City Manager and the following two Ordinances:

An Ordinance entitled, “An Ordinance granting a **Special Exception** authorizing the operation of an entertainment establishment with alcoholic beverages known as ‘**O’Connor Brewing Company**’ on property located at **211 West 24th Street**,” was introduced in writing and read by its title.

ACTION: The Ordinance as introduced was **adopted**, effective February 9, 2016.

Yes: Graves, Johnson, Protogyrou, Riddick, Smigiel, Whibley and Fraim.

No: None.

R-21A An Ordinance entitled, “An Ordinance granting a **Special Exception** to permit the operation of a microbrewery named ‘**O’Connor Brewing Company**’ on property located at **211 West 24th Street**,” was introduced in writing and read by its title.

ACTION: The Ordinance as introduced was **adopted**, effective February 9, 2016.

Yes: Graves, Johnson, Protogyrou, Riddick, Smigiel, Whibley and Frain.

No: None.

R-22 Letter from the City Manager and the following two Ordinances:

 An Ordinance entitled, “An Ordinance granting a **Special Exception** authorizing the operation of an entertainment establishment with alcoholic beverages known as ‘**Mack’s Barge**’ on property located at **4300 Colley Avenue**,” was introduced in writing and read by its title.

Rick Henn, representing the applicant, 1400 Granby Street, Unit 407, was present to answer questions.

ACTION: The Ordinance as introduced was **adopted**, effective February 9, 2016.

Yes: Graves, Johnson, Protogyrou, Riddick, Smigiel, Whibley and Frain.

No: None.

R-22A An Ordinance entitled, “An Ordinance granting a **Special Exception** authorizing the sale of alcoholic beverages for off-premises consumption at an establishment known as ‘**Mack’s Barge**’ on property located at **4300 Colley Avenue**,” was introduced in writing and read by its title.

ACTION: The Ordinance as introduced was **adopted**, effective February 9, 2016.

Yes: Graves, Johnson, Protogyrou, Riddick, Smigiel, Whibley and Frain.

No: None.

R-23 Letter from the City Manager and an Ordinance entitled, “An Ordinance accepting and appropriating the sum of \$50,000 from the **Virginia Brownfield Assistance Fund** for additional environmental assessments at **Harbor Park and Shoreline area**,” was introduced in writing and read by its title.

ACTION: The Ordinance as introduced was **adopted**, effective February 9, 2016.

Yes: Graves, Johnson, Protogyrou, Riddick, Smigiel, Whibley and Fraim.

No: None.

R-24 Letter from the City Manager and an Ordinance entitled, “An Ordinance authorizing a **Cost Sharing Agreement** with Hampton Roads Sanitation District for the relocation and replacement of Force Main SF-007 at Buckman Avenue,” was introduced in writing and read by its title.

ACTION: The Ordinance as introduced was **adopted**, effective February 9, 2016.

Yes: Graves, Johnson, Protogyrou, Riddick, Smigiel, Whibley and Fraim.

No: None.

R-25 Letter from the City Manager and a Resolution entitled, “A Resolution naming the public City Park located at southwest corner of **Duke and York Streets** for **Admiral David G. Farragut**,” was introduced in writing and read by its title.

ACTION: The Resolution as introduced was **adopted**, effective February 9, 2016.

Yes: Graves, Johnson, Protogyrou, Riddick, Smigiel, Whibley and Fraim.

No: None.

R-26 Letter from the City Attorney and an Ordinance entitled, “An Ordinance directing the City Treasurer to issue a refund to **Metal Concepts, Inc.**, in the amount of \$46,770.69, plus interest, based upon the **overpayment of its machinery and tools tax for the years 2012 through 2015**,” was introduced in writing and read by its title.

ACTION: The Ordinance as introduced was **adopted**, effective February 9, 2016.

Yes: Graves, Johnson, Protogyrou, Riddick, Smigiel, Whibley and Fraim.

No: None.

R-27

Letter from the City Attorney and an Ordinance entitled, "An Ordinance directing the City Treasurer to issue a refund to **SureID, Inc., f/k/a EID Passport, Inc.**, in the amount of \$7,325.62, plus interest, based upon the **overpayment of its Business Personal Property Tax for the years 2013 and 2014,**" was introduced in writing and read by its title.

ACTION: The Ordinance as introduced was **adopted**, effective February 9, 2016.

Yes: Graves, Johnson, Protogyrou, Riddick, Smigiel, Whibley and Fraim.

No: None.

R-28

Letter from the City Attorney and an Ordinance entitled, "An Ordinance directing the City Treasurer to issue a refund to **London Plaza Coin Laundry, Inc.**, in the amount of \$2,693.46, plus interest, based upon the **overpayment of its Business Personal Property Tax for the years 2012 through 2014,**" was introduced in writing and read by its title.

ACTION: The Ordinance as introduced was **adopted**, effective February 9, 2016.

Yes: Graves, Johnson, Protogyrou, Riddick, Smigiel, Whibley and Fraim.

No: None.

R-29

Letter from the City Attorney and an Ordinance entitled, "An Ordinance directing the City Treasurer to issue a refund to **All Carolina Crane & Equipment, L.L.C.** in the amount of \$13,191.61, plus interest, based upon the **overpayment of its Business Personal Property Tax for the year 2015,**" was introduced in writing and read by its title.

ACTION: The Ordinance as introduced was **adopted**, effective February 9, 2016.

Yes: Graves, Johnson, Protogyrou, Riddick, Smigiel, Whibley and Fraim.

No: None.

R-30 Letter from the City Attorney and an Ordinance entitled, “An Ordinance directing the City Treasurer to issue a refund to **Bayview Plaza Pharmacy Inc.**, in the amount of \$31,476.05, plus interest, based upon the **overpayment of its Business License Tax for the year 2015,**” was introduced in writing and read by its title.

ACTION: The Ordinance as introduced was **adopted**, effective February 9, 2016.

Yes: Graves, Johnson, Protogyrou, Riddick, Smigiel, Whibley and Fraim.

No: None.

R-31 Letter from the City Attorney and an Ordinance entitled, “An Ordinance directing the City Treasurer to issue a refund to **ABNB Federal Credit Union** in the amount of \$3,290.96, plus interest, based upon the **overpayment of its Business Personal Property Tax for the year 2014,**” was introduced in writing and read by its title.

ACTION: The Ordinance as introduced was **adopted**, effective February 9, 2016.

Yes: Graves, Johnson, Protogyrou, Riddick, Smigiel, Whibley and Fraim.

No: None.

R-32 Letter from the City Attorney and an Ordinance entitled, “An Ordinance directing the City Treasurer to issue a refund to **AT&T Capital Services, Inc.,** in the amount of \$18,703.77, plus interest, based upon the **overpayment of its Business Personal Property Tax for the years 2013 through 2015,**” was introduced in writing and read by its title.

ACTION: The Ordinance as introduced was **adopted**, effective February 9, 2016.

Yes: Graves, Johnson, Protogyrou, Riddick, Smigiel, Whibley and Fraim.

No: None.

R-33

Letter from the City Manager and an Ordinance entitled, “An Ordinance to amend and reordain Section 25.1-37, Section 25.1-75 and Section 25.1-87 of the Norfolk City Code, 1979, as amended, concerning parking rates for residents of the **Central Business District**, rates for parking in off-street facilities and designating a parking garage,” was introduced in writing and read by its title.

ACTION: The Ordinance as introduced was **adopted**, effective February 9, 2016.

Yes: Graves, Johnson, Protogyrou, Riddick, Smigiel, Whibley and Fraim.

No: None.

R-34

An Ordinance entitled, “An Ordinance to amend and reordain **Section 2.1-58** of the Code of the City of Norfolk, 1979 as amended, to designate a committee membership position on the **Military Economic Development Advisory Committee** for the **Executive Director** of the **Hampton Roads Military and Federal Facilities Alliance**,” was introduced in writing and read by its title.

ACTION: The Ordinance as introduced was **adopted**, effective February 9, 2016.

Yes: Graves, Johnson, Protogyrou, Riddick, Smigiel, Whibley and Fraim.

No: None.

R-35

A Resolution entitled, “A Resolution appointing **Craig Quigley** to the **Military Economic Development Advisory Committee** for a certain term,” was introduced in writing and read by its title.

ACTION: The Resolution as introduced was **adopted**, effective February 9, 2016.

Yes: Graves, Johnson, Protogyrou, Riddick, Smigiel, Whibley and Fraim.

No: None.

Mayor Fraim departed at the conclusion of the agenda. Vice Mayor Mrs. Williams Graves in the chair.

NEW BUSINESS

1. Roy B. Martin, IV, Chair of the Public Library Board of Trustees, thanked Council for their continuous support to the Libraries. He also informed Council that even though the Slover Library is the premier Library, the branches are doing really well. There has been an enormous increase of citizens coming through all of the branches and services provided to the citizens.
2. Janice McKee, 903 Hatton Street, spoke regarding the Campostella STEM School. She stated that she was the one who came to Council and asked for the school, that they did not get all the rooms that were promised and that going back to a neighborhood school will not provide the diversity that is needed.
3. Sarah Peoples-Perry, 405 Pendleton Street, spoke about the Southside STEM School, stating that they have been working hard to get diversity to the Southside.
4. Rodney Jordan, 2506 Myrtle Avenue, stated he wanted to share with the council a portion of an Old Dominion University master's thesis entitled, "Residential Segregation in Norfolk, Virginia: How the federal Government Reinforced Racial Segregation in A Southern City, 1914-1957." He read from the preface that gave background information on the author - a naval officer - and his experience looking for a place to live in Norfolk, noting Norfolk's neighborhoods are divided by race and how he was advised by other officers against living in an African American neighborhood. Mr. Jordan commented that the decisions made 70 years ago during urban renewal continue to affect the city today, and that he hopes that we can be proudly diverse and that school and housing policies can support the type of city we want to be.
5. Michael McKenna, 3124 Douglas Road, Chesapeake, spoke about **1)** Retirees receiving two 1099-R tax forms, stating that there was a printing error in the first 1099-R received, and **2)** Mr. McKenna next stated retirees were mailed a second W-2 form correcting the original, that some had filed their taxes before receiving the correction, and that the city should pay the re-filing fee, and asked: **3)** for assistance to re-open the Police and Fire Museum **4)** Employees who retired 3 years ago who were overpaid have been asked to pay back the money and **5)** for a recount of the ERC election that was recently held, since the ballot box was left unattended.
6. Danny Lee Ginn, 3844 Dare Circle, requested televising persons speaking on new business.